

REMARKS

In the Office Action the Examiner is requiring Applicant to elect between Group I, consisting of claims 1-18, 39-44, 47 and 59-60 (drawn to an article of manufacture), and Group II, consisting of claims 19-38, 45-46 and 48-58 (drawn to a process for forming a composite article of manufacture). The Examiner states that "a molding process can make composite articles of manufacture" in support of the restriction requirement. See MPEP §806.05(h).

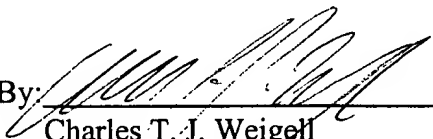
Applicant hereby traverses the requirement for the reasons which follow.

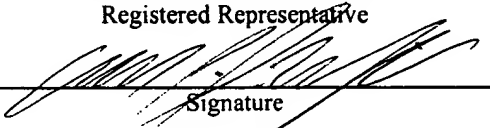
Preliminarily, while reserving their right to traverse, to advance prosecution Applicant elects to prosecute the subject matter of Group II, namely claims 19-38, 45-46 and 48-58.

In order to properly support restriction, the Examiner must demonstrate that either "the product as claimed can be used in a materially different process of using that product" or "the process as claimed can be made by another and materially different products." The Examiner, however, provides no example of any applicable alternative "process" or "product" different from that claimed. In fact, nowhere does the Examiner even state that what is claimed can be used in, or made by, "materially different" processes or products as is required under MPEP §806.05(h). "Materiality" here is not satisfied by mere conclusory statements of what a "molding process" in general can or may do. This is clearly insufficient to meet the Examiner's burden to support restriction. It so follows, the Examiner has not shown that Groups I and II are distinct. Reconsideration and withdrawal of the restriction requirement is respectfully requested.

Notwithstanding traversal of the requirements raised, Applicant reserves the right under U.S. Patent laws to prosecute the unclaimed subject matter in a divisional, continuation or continuation-in-part application at a later time.

Respectfully submitted,

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